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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/501,099

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Donald H. Warner

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11/26/2008

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EXAMINER

FONSECA, JESSIE T

ART UNIT

PAPER NUMBER

3633

MAIL DATE

DELIVERY MODE

11/26/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/501,099	Applicant(s) WARNER, DONALD H.	
	Examiner JESSIE FONSECA	Art Unit 3633	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 August 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/5/08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

The drawings were received on 8/4/08. These drawings are acceptable.

Claim Objections

Claims 1, 3, 5, 8, and 13 are objected to because of the following informalities:

Claim 1: The limitation "each outer cover portion" in line 9 of the claims lacks proper antecedent basis. Examiner suggests replacing "outer cover portion" with --outer cover--.

The limitation "each cover portion" in lines 9-10 lacks proper antecedent basis. Examiner suggests replacing "each cover portion" with --each outer cover--.

The limitation "said first and second cover portion" in line 13 of the claim lacks proper antecedent basis. Examiner suggests replacing "said first and second cover portion" with --said first and second outer cover--.

Claim 3: The limitation "said first and second cover portion" in line 17 of the claim lacks proper antecedent basis. Examiner suggests replacing "said first and second cover portion" with --said first and second outer cover--.

Claim 5: The limitation "each cover portion" in line 10 of the claim lacks proper antecedent basis. Examiner suggests replacing "each cover portion" with --each outer cover--.

The limitation “said first and second cover portion” in line 14 of the claim lacks proper antecedent basis. Examiner suggests replacing "said first and second cover portion” with --said first and second outer cover--.

Claim 8: The limitation “said first and second cover portion” in line 13 of the claim lacks proper antecedent basis. Examiner suggests replacing "said first and second cover portion” with –said first and second outer cover--.

Claim 13: The limitation "each outer cover portion" in line 11 of the claims lacks proper antecedent basis. Examiner suggests replacing "outer cover portion” with --outer cover--.

The limitation “each cover portion” in lines 11-12 lacks proper antecedent basis. Examiner suggests replacing "each cover portion” with --each outer cover--.

The limitation “said first and second cover portion” in line 14 of the claim lacks proper antecedent basis. Examiner suggests replacing "said first and second cover portion” with –said first and second outer cover--.

Appropriate correction is required.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

Claims 1-4 and 13-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Japanese Patent (JP 04-48059).

With regards to claim 1: Japanese Patent discloses a joint for a trim panel comprising:

a first outer cover (11) having an inner surface, an outer surface and a connector portion (17) formed therein (figs. 1-3);

a second outer cover (12) having an inner surface, an outer surface and a connector portion (18) formed therein (figs. 1-3);

a connector platform (15) having an outer surface and a first connector portion (15b) and a second connector portion (15b), the first connector portion (15b) connected to the first outer cover connector portion (17) and the second connector portion (15b) connected to the second outer cover connector portion (18), wherein each outer cover connector portion (17, 18) is disposed along a respective joint line edge of each outer cover (11, 12) and includes a plurality of receptacles (holes) and the first and second connector portions (15b) of the connector platform (15) include a plurality of protrusions (15b) extending from the connector platform outer surface, and the protrusions (15b) engage the receptacles (holes) wherein the inner surfaces of the first and second cover portion contact the outer surface of the connector platform (15) (figs. 1-3).

With regards to claim 2: Japanese Patent further discloses a joint cover (16) overlying the connector platform (15), the joint cover (16) covering the connection between the connector platform first connector portion (15b) and the first outer cover connector portion (17) and the joint cover (16) covering the connection between the

connector platform second connector portion (15b) and the second outer cover connector portion (18) (figs. 1-3).

Note the claims are directed solely to the trim panel. As such, language directed to the orientation such as "overlying" is considered nomenclature as the panel can be rotated so as to have over cover overlying the connector platform.

With regards to claim 3: Japanese Patent discloses a joint for a trim panel comprising:

a first outer cover (11) having an inner surface, an outer surface, a joint line edge and a connector portion (17) formed therein, the connector portion (17) comprising a plurality of receptacles (holes) disposed along the first outer cover joint line edge, the receptacles comprising through holes (figs. 1-3);

a second outer cover (12) having an inner surface, an outer surface, a joint line edge and a connector portion (18) formed therein, the connector portion (18) comprising a plurality of receptacles (holes) disposed along the second outer cover joint line edge, the receptacles comprising through holes (figs. 1-3);

a connector platform (15) having an outer surface and a first connector portion (15b) and a second connector portion (15b), the first and second connector portion comprising a plurality of protrusions (figs. 1-3);

wherein the protrusions (15b) of the first connector portion of the connector platform (15) extend into the receptacles (holes) of the first outer cover (11) to form a connection between the connector platform first connector portion and the first outer cover connector portion (figs. 1-3); and

wherein the protrusions (15b) of the second connector portion of the connector platform (15) extend into the receptacles (holes) of the second outer cover (11) to form a connection between the connector platform second connector portion (15b) and the second outer cover connector portion (18), wherein the inner surfaces of the first and second cover (11, 12) contact the outer surface of the connector platform (15).

With regards to claim 4: Japanese further disclose a joint cover (16) overlying the connector platform (15), the joint cover (16) covering the connection between the connector platform first connector portion (15b) and the first outer cover connector portion (17) and the joint cover (16) covering the connection between the connector platform second connector portion (15b) and the second outer cover connector portion (18) (figs. 1-3).

With regards to claim 13: Japanese Patent discloses a method for forming a joint for a trim panel comprising:

providing a first outer cover (11) having an inner surface, an outer surface and a connector portion (17) formed therein (figs. 1-3);

providing a second outer cover (12) having an inner surface, an outer surface and a connector portion (18) formed therein (figs. 1-3);

providing a connector platform (15) having an outer surface and a first connector portion (15b) and a second connector portion (15b) (figs. 1-3),

connecting the first connector portion (15b) to the first outer cover connector portion (17) and connecting the second connector portion (15b) to the second outer cover connector portion (18), wherein each outer cover portion connector portion (17, 18) is

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disposed along a respective joint line edge of each outer cover (11, 12) and includes a plurality of receptacles (17, 18) and the first and second connector portions (15b) of the connector platform (15) include a plurality of protrusions, and the protrusions engage the receptacles wherein the inner surfaces of the first and second cover portion (17,18) contact the outer surface of the connector platform (15) (figs. 1-3).

With regards to claim 14: Japanese Patent discloses providing a joint cover (16) and overlying the connector platform (15) with the joint cover (16), wherein the joint cover (16) covers the connection between the connector platform first connector portion (15b) and the first outer cover connector portion (17) and the joint cover (16) covers the joint between the connector platform second connector portion (15b) and the second outer cover connector portion (18) (figs. 1-3).

Note the claims are directed solely to the trim panel. As such, language directed to the orientation such as "overlying" is considered nomenclature as the panel can be rotated so as to have over cover overlying the connector platform.

Claim Rejections - 35 USC § 103

Claims 5-10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knox et al. (US 5,901,977) in view of Japanese Patent (JP 04-48059).

With regards to claim 5: Knox et al. discloses a trim panel comprising:

a first outer cover (A) having an inner surface (fig. 2);

a second outer cover (B) having an inner surface (fig. 2);

a joint comprising the first outer cover (A) and the second outer cover (B) connected to a connector (40) (figs. 2-3B); and

a substrate (30) held in spaced relationship to the first outer cover (A) and the second outer cover (B), the spaced relationship comprising foam (24) (figs. 2-3B).

Knox et al. discloses everything previously mentioned, but fails to disclose each outer cover includes a connector portion along a respective joint line edge of each cover portion and formed therein, the outer cover connector portions including a plurality of receptacles, a connector platform including first and second connector portions having plurality of protrusions engaged the receptacles, wherein the inner surfaces of the first and second cover portion contact the outer surface of the connector platform.

However, Japanese Patent discloses a panel having a first outer cover, (11) second outer cover (12), wherein each cover includes a connector portion (17, 18) along a respective joint line edge of each cover portion and formed therein, the outer cover connector portions (17, 18) including a plurality of receptacles (holes), a connector platform (15) including first and second connector portions (15b) having plurality of protrusions engaging the receptacles, wherein the inner surfaces of the first and second cover (11, 12) contact the outer surface of the connector platform (15) (figs. 1-3).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to substitute the connection of Knox et al. to have each outer cover include a plurality of receptacles, a connector platform including first and second

connector portions having plurality of protrusions engaging the receptacles, wherein the inner surfaces of the first and second cover portion contact the outer surface of the connector platform as taught by the Japanese Patent in order to provide a secure connection between the first and second outer cover.

To substitute one known connection for another is considered within the level of ordinary skill in the art and would not be expected to yield new or unpredictable results. Note the outer skin of Knox et al. may include a weakened area to allow the panel to disengage from the connection. As such, one of ordinary skill in the art at the time of the invention would recognize to provide a weakened area so as to allow for the panel to disengage from a given connection.

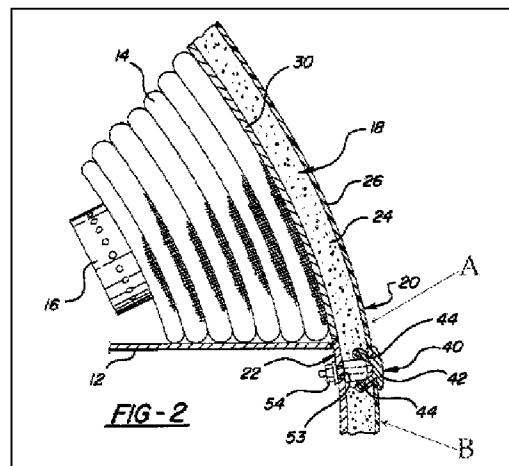


Fig. 2: Knox et al. (US 5,901,977)

With regards to claim 6: Japanese Patent discloses a joint cover (16) overlying the connector platform.

Note the claims are directed solely to the trim panel. As such, language directed to the orientation such as "overlying" is considered nomenclature as the panel can be rotated so as to have over cover overlying the connector platform.

With regards to claim 7: Japanese Patent discloses joint cover overlying the connector platform includes covering the connection between the first outer cover and the connector platform and the connection between the second outer cover and the connector platform.

With regards to claim 8: Knox et al. discloses a trim panel comprising:

- a first outer cover (A) having an inner surface;
- a second outer cover (B) having an inner surface;
- a joint comprising the first outer cover (A) and the second outer cover (B) connected to a connector;
- a substrate (30) formed directly behind the first outer cover (A) and the second outer cover (B), comprising a plastic composition (col. 2, lines 59-64).

Knox et al. discloses everything previously mentioned, but fails to disclose a connector portion disposed along a respective joint line edge of each outer cover and formed therein, the outer cover connector portions including a plurality of receptacles, wherein the connector platform includes first and second connector portions which include a plurality of protrusions, and the protrusions engage the receptacles wherein the inner surfaces of the first and second cover portion contact the outer surface of the connector platform.

However, Japanese Patent discloses a panel having a first outer cover, (11) second outer cover (12), wherein each cover includes a connector portion (17, 18) along a respective joint line edge of each cover portion and formed therein, the outer cover connector portions (17, 18) including a plurality of receptacles (holes), a

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connector platform (15) including first and second connector portions (15b) having plurality of protrusions engaging the receptacles, wherein the inner surfaces of the first and second cover (11, 12) contact the outer surface of the connector platform (15) (figs. 1-3).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to substitute the connection of Knox et al. to have each outer cover include a plurality of receptacles, a connector platform including first and second connector portions having plurality of protrusions engaged the receptacles, wherein the inner surfaces of the first and second cover portion contact the outer surface of the connector platform as taught by Japanese Patent in order to provide a secure connection between the first and second outer cover.

To substitute one known connection for another is considered within the level of ordinary skill in the art and would not be expected to yield new or unpredictable results. Note the outer skin of Knox et al. may include a weakened area to allow the panel to disengage from the connection. As such, one of ordinary skill in the art at the time of the invention would recognize to provide a weakened area so as to allow for the panel to disengage from a given connection.

The plastic composition being formed by reaction injection molding renders the claim a product by process claim. Determination of patentability is based on the product itself. The patentability of a product does not depend on its method of production. If the product in the product-by- process claim is the same as or obvious

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from a product of the prior art, the claim is unpatentable even though the prior product was made by a different process. MPEP 2113.

With regards to claim 9: Japanese Patent discloses a joint cover (16) overlying the connector platform (15).

Note the claims are directed solely to the trim panel. As such, language directed to the orientation such as "overlying" is considered nomenclature as the panel can be rotated so as to have over cover overlying the connector platform.

With regards to claim 10: Japanese further disclose a joint cover (16) overlying the connector platform (15), the joint cover (15) covering the connection between the connector platform first connector portion (15b) and the first outer cover connector portion (17) and the joint cover (16) covering the connection between the connector platform second connector portion (15b) and the second outer cover connector portion (18).

With regards to claim 12: Knox et al. further discloses a plastic composition comprises polyurethane (col. 2, lines 59-64).

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Knox et al. (US 5,901,977) in view of Japanese Patent (JP 04-48059) and in further view of Bohm et al. (US 2003/0173801).

With regards to claim 11: Knox et al., in view of Japanese Patent discloses everything previously mentioned, but fails to disclose the plastic composition is reinforced with fibers.

However, discloses a composite part for used with a vehicle panel having foam reinforced with fibers (par. 0017).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the foam plastic composition of Knox et al., previously modified by Japanese Patent, to include fibers as taught by Bohm et al. in order to reinforce the plastic composition for increased durability and resiliency.

Response to Arguments

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Abejon et al. et al. (US 2003/0071475 A1) disclose an accessory attachment system for vehicle interiors.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JESSIE FONSECA whose telephone number is (571)272-7195. The examiner can normally be reached on M-F 7:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Canfield can be reached on (571)272-6840. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/J. F./
Examiner, Art Unit 3633

/Robert J Canfield/
Supervisory Patent Examiner, Art Unit 3635